

EMERY WATER CONSERVANCY DISTRICT

P.O. Box 998
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Telephone (801) 381-2311

January 10, 2001

State of Utah
Division of Oil, Gas and Mining
1594 West North Temple STE 1210
Salt Lake City, UT 84114-5801

Subject: Permit Renewal Applications

Gentlemen:

The Emery Water Conservancy District believes that as permit renewals are granted, the Division of Oil, Gas and Mining should incorporate the wording that appears in the Utah State Water Plan, West Colorado River Basin which reads as follows:

" As water is encountered by the mine operators, a report thereof should be made to DOGM which should then investigate the interception in greater detail and report its findings to the Division of Water Rights and to water users which may be potentially affected. A written agreement should then be developed to protect affected water rights and to further protect and enhance the quality of that water. In addition to the Water Replacement Rules, issuance of any mining permit that will more fully address ways to avoid or minimize the impact of subsidence damage as it relates to the diminution and loss of groundwater and water quality."

Further, we agree with recommendations made in the Utah State Water Plan which state "there is a need for better correlation and development of definitive boundaries of authority between the three state agencies (DEQ, DOGM and DWRi) to avoid confusion and frustration to the mining industry and the various water users. Cooperation between DOGM, mining companies and local entities should be required to avoid duplication of efforts and to provide a means by which data can be shared between the state and local entities, water users and coal mine operators for the protection of water resources."

It is our opinion that adoption of such recommendations would do much to create a spirit of cooperation among the water users, the mining industry and state entities responsible for mining regulations and permits.

Deer Creek
1/10/01
Copy Louell,
Maylene,
Laron, Amy,
Ron

We appreciate the opportunity to comment on the Permit Renewal Application for PacifiCorp's Deer Creek Mine.

Sincerely,

A handwritten signature in cursive script, reading "Eugene Johansen".

Eugene Johansen

Chairman

Emery Water Conservancy District